

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

DERICK LEVELL JONES,

Petitioner,

v.

Case No. 3:24-cv-259-LC-MJF

RICKY D. DIXON,

Respondent.

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ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated November 12, 2024. ECF No. 13. The parties were furnished a copy of the Report and Recommendation and were afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The Court has made a de novo determination of those portions to which an objection was made.

Having considered the Report and Recommendation and all objections thereto timely filed, the Court concludes that the Report and Recommendation should be adopted.

Accordingly, it is **ORDERED**:

1. The Magistrate Judge's Report and Recommendation, ECF No. 13, is adopted and incorporated by reference into this Order.
2. Respondent's motion to dismiss, ECF No. 9, is **GRANTED**
3. The amended petition for writ of habeas corpus, ECF No. 4, challenging the judgment of conviction and sentence in *State of Florida v. Derick Levell Jones*, Escambia County Circuit Court Case No. 2017-CF-001402, is **DISMISSED with prejudice** as time-barred.
4. A certificate of appealability is **DENIED**.
5. The Clerk of Court is directed to close the file.

DONE AND ORDERED this 26th day of November, 2024.

s/L.A. Collier
LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE